

Notice of Allowability

Application No.

10/699,132

Examiner

Dismerly E. Mercedes

Applicant(s)

BERMAN ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amend. filed 4/14/2006.
2. ☒ The allowed claim(s) is/are 1,3-8,10-22 and 24-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Allowable Subject Matter

1. Claims 1,3-8,10-22,24-36 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Independent claims 1,8,22, are allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *"at least one control field containing first portion having a predetermined number of zeroes preceding a portion containing each transition of the control field, which precedes a second portion having the predetermined number of zeroes, the control field being completely formed by the first portion, the portion containing each transition of the control field and the second portion."*

Independent claims 10,24, are allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *"adjusting a frequency of the readback channel system clock based on a relative temporal position of the peak in each successive control field."*

Independent claims 13,27 are allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *"at least one control field containing a dibit having a zero crossing; and adjusting a frequency of a readback channel system clock, based on a relative temporal position the zero crossing of each dibit in each successive control field."*

Independent claims 16, 30 are allowable over the prior art of record, since the cited references taken alone or in combination do not teach or suggest: *"at least one control field containing a positive and a negative transition and each transition having a predetermined amplitude; and adjusting an amplitude asymmetry of the readback signal based on the predetermined amplitude of each transition in each control field."*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Du et al. (US 6,108,152); Abbott et al. (US 5,422,760); Romano et al. (US 5,576,910) ; Malone et al. (US 6,583,943); Galloway et al. (US 6,735,040); Satoh (US 6,556,365); Dobbeck et al. (US 6,429,995); Lim et al. (US 2002/0181131); Berman et al. (US 6,765,741); Knowles et al. (US 4,823,212); Cowen (US 5,760,983); Best et al. (US 5,073,834); Chambors et al. (US 5,396,376) ; Fung et al. (US 2005/0078399).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne R. Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke ending in a dot.A handwritten signature in black ink, featuring a wavy line that forms a stylized 'W' or 'M' shape, followed by a long horizontal stroke ending in a checkmark-like flourish.

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER